Part 1 – Agency Profile

Agency Overview

The Idaho Department of Environmental Quality (DEQ) is a state department created by the Idaho Environmental Protection and Health Act (Title 39, Chapter 1, Idaho Code) to ensure clean air, water, and land in the state and protect Idaho citizens from the adverse health impacts of pollution.

As a regulatory agency, DEQ enforces various state environmental regulations and administers a number of federal environmental protection laws including the Clean Air Act, the Clean Water Act and the Resource Conservation and Recovery Act.

DEQ manages a broad range of activities including:

- Assessment of environmental problems;
- Oversight of facilities that generate air, water and hazardous waste pollution;
- Monitoring of air and water quality;
- Cleanup of contaminated sites; and
- Education, outreach and technical assistance to businesses, local government agencies and interested citizens.

The agency is committed to working in partnership with local communities, businesses and citizens to identify and implement cost-effective environmental solutions.

Within the department are divisions responsible for developing, administering and enforcing environmental policies and for providing technical and administrative support. The divisions are: Air Quality, Water Quality, Waste Management and Remediation, Planning and Special Projects, Technical Services, Environmental Management and Information Division, and INL Oversight and Radiation Control.

On-the-ground implementation of environmental programs is conducted by the regional offices which are located in Boise, Coeur d'Alene, Idaho Falls, Lewiston, Pocatello and Twin Falls. In addition, three satellite offices are located in McCall, Grangeville and Kellogg. The staff in regional and satellite offices are the service providers of DEQ. Each region's staff consists of specialists in air quality, water quality, and waste management and remediation issues. They are knowledgeable about environmental issues in their particular regions and work directly with citizens, businesses and industries to implement the state's environmental policies and programs.

The responsibilities of DEQ are authorized by various legislative mandates, many of which empower the state to implement and enforce federally mandated environmental programs.

The Board of Environmental Quality (Board) is a rulemaking and advisory body created by the Environmental Protection and Health Act (Title 39, Chapter 1, Idaho Code). The Board may adopt, amend or repeal the rules, codes, and standards of DEQ that are necessary and feasible to carry out its purposes and provisions of the Environmental Protection and Health Act and to enforce the laws of the state. DEQ, with assistance from the attorney general's office, is responsible for drafting rules for consideration by the Board. The Board's determinations may be petitioned for judicial review.

Core Functions/Idaho Code

- **Air Quality**: DEQ assures compliance with federal and state health-based air quality standards by monitoring air quality and collecting data; developing and issuing permits; and coordinating air quality improvement efforts among communities, citizen groups, businesses, industries, other state agencies, tribes and the U.S. Environmental Protection Agency (EPA). (Title 39, Chapters 1, Idaho Code; Clean Air Act)

- **Water Quality:** DEQ assures that the state's surface, ground and drinking water resources meet state water quality standards by setting water quality standards and providing Clean Water Act, § 401 certification; monitoring, assessing and reporting on surface water quality; developing and implementing

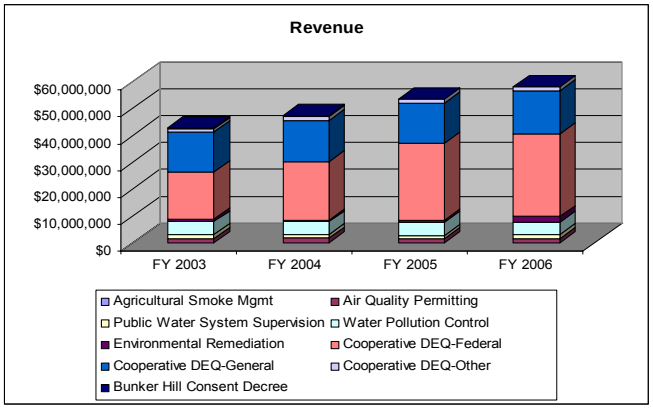
water quality improvement plans known as total maximum daily loads (TMDLs); protecting the quality of public drinking water and ground water resources; providing guidance for managing storm water; establishing standards for on-site wastewater systems (septic systems); issuing wastewater-land application permits; and providing grants and loans. (Title 39, Chapters 1, 36, 64, 66, 76, Idaho Code; Title 37, Chapter 21, Idaho Code; Clean Water Act)

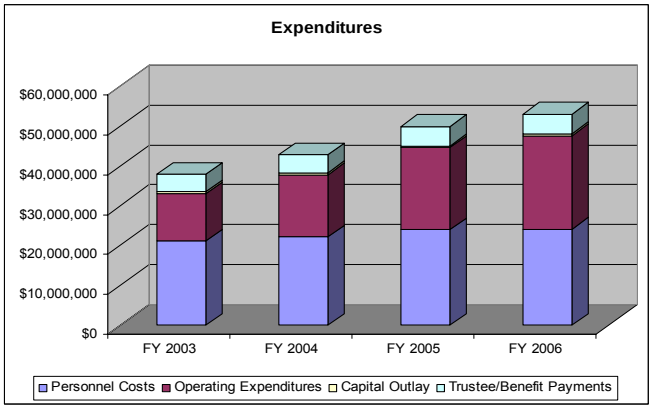
- **Waste Management and Remediation:** DEQ ensures that waste generated in or entering Idaho is managed and disposed of in a manner protective of human health and the environment, and responds to releases of hazardous substances to surface waters, ground water or soils. (Title 39, Chapters 1, 44, 58, 65, 71, 74, 81, Idaho Code; Resource Conservation and Recovery Act (RCRA); Comprehensive Environmental Response, Compensation and Liability Act (CERCLA))

- **INL Oversight and Radiation Control:** DEQ oversees activities at the Idaho National Laboratory and maintains an independent environmental surveillance program designed to verify and supplement INL monitoring programs. DEQ develops a "big picture" view of how the site affects Idaho's environment and inhabitants. DEQ works with other state agencies, and assists local governments statewide in their planning and response to emergencies involving radiological materials. DEQ also addresses issues of interest to the public and provides information when and where needed. (Title 67, Chapter 8, Idaho Code)

Revenue and Expenditures

Revenue	FY 2003	FY 2004	FY 2005	FY 2006
Agricultural Smoke Mgmt	$5,500	$0	$0	0
Air Quality Permitting	$1,518,800	$1,649,800	$1,361,500	$1,379,768
Public Water System Supervision	$1,386,500	$1,308,900	$1,326,600	$1,511,992
Water Pollution Control	$4,868,600	$4,826,300	$4,823,400	$4,840,390
Environmental Remediation	$1,087,500	$684,200	$707,300	$1,957,080
Cooperative DEQ-Federal	$17,503,100	$21,888,500	$28,724,700	$30,800,981
Cooperative DEQ-General	$14,769,900	$15,146,000	$15,234,100	$16,242,200
Cooperative DEQ-Other	$1,196,200	$1,526,200	$1,255,500	$1,454,067
Bunker Hill Consent Decree	$666,400	$262,600	$65,700	$65,671
Total	**$43,002,500**	**$47,292,500**	**$53,498,800**	**$58,252,149**
Expenditure	**FY 2003**	**FY 2004**	**FY 2005**	**FY 2006**
Personnel Costs	$21,148,700	$22,141,900	$23,950,300	$24,100,940
Operating Expenditures	$11,793,200	$15,621,100	$20,626,200	$23,426,860
Capital Outlay	$553,700	$412,400	$413,600	$437,199
Trustee/Benefit Payments	$4,349,800	$4,536,900	$4,744,700	$4,891,254
Total	**$37,845,400**	**$42,712,300**	**$49,734,800**	**$52,856,253**





Profile of Cases Managed and/or Key Services Provided

Cases Managed and/or Key Services Provided	FY 2003	FY 2004	FY 2005	FY 2006
Air Quality Permits to Construct Issued	49	52	61	67
Air Quality Tier I (Title V) Permits Issued	48	12	10	17
Air Quality Tier 2 Permits Issued	38	23	14	11
Air Inspections and Evaluations Conducted	141	180	121	150
Wastewater Grant $ Awarded	215,405	163,610	117,000	192,282
Drinking Water Grant $ Awarded	70,025	178,981	206,000	197,362
Completed TMDLs Approved by EPA	9	14	7	10
401/404 Water Quality Certifications Issued	881	885	695	765
Wastewater Land Application Permits Issued	34	28	22	14
Wastewater Engineering Reviews	1059	2070	2201	2417*
Drinking Water Engineering Reviews	1324	1743	1959	2898*
Wastewater and Drinking Water Plan and Specification Reviews				1100
Drinking Water Sanitary Surveys	432	459	454	366
Active 319 projects administered (Previous CY)			53	51
319 Projects Completed (Previous CY)			15	31
Remediation Projects Closed	140	134	137	155
Underground Storage Tank Compliance Assistance Visits	273	282	269	187
Hazardous Waste Inspections (Regulatory and Compliance Assistance)	239	229	245	291
Phosphate Mine Sites Undergoing Investigation/Cleanup Activities	8	10	10	8
DOE/INL Operations Monitored	39	36	43	95
Snake River Plain Environmental Samples Analyzed (for DOE/INL activities)	3,073	2,731	2,609	2,406
DOE Impacted Counties Receiving Radiological Emergency Preparedness Assistance	15	15	15	15
Public Outreach – Reports, Newsletters, Presentations on DOE/INL Activities	41	45	37	38

*1100 of these reviews were subject to the 42 days.

Performance Highlights

Clean Air Zone Idaho

DEQ continued to successfully promote the *Clean Air Zone Idaho* anti-idling campaign. *Clean Air Zone Idaho* is a statewide program designed to reduce children's exposure to vehicle exhaust by limiting vehicle idling, promoting alternative fuels and retrofitting buses with cleaner diesel technologies. Schools throughout the state are participating in the program, reducing children's exposure to exhaust fumes when arriving and leaving school. In FY 2006, this voluntary program expanded to include 221 schools in Idaho, managing 935 buses. Over 75,387 students now attend *Clean Air Zone Idaho* schools. In addition, DEQ facilitated the awarding of Idaho's first diesel school bus retrofit grant (from EPA), which provided $250,000 jointly to three Idaho school districts.

Air Permit Streamlining

Like many other states undergoing strong growth, Idaho has received a record number of air quality permit applications in recent years. As a result, a backlog has accumulated and the time required to process permits has lengthened considerably. In an effort to eliminate the backlog and reduce processing time, the Director tasked the agency with analyzing and streamlining the air quality permitting process.

The goal of the Air Permit Streamlining Initiative is to *"***develop and implement a streamlined air permitting process that results in expeditious issuance of environmentally sound permits in a timeframe not to exceed 90 days***."* Objectives include eliminating redundancies in the permitting process, optimizing use of staff and resources, and identifying appropriate implementation strategies.

Listening sessions were held with internal and external stakeholders and the most common themes that emerged across the groups were:

- Increasing the use of "permit by rule" and "general permits"
- Improving and developing electronic application tools and guidance
- Consolidating permit types into a single application/process, and
- Simplifying the process and thereby also decreasing internal and external workload.

These suggestions for improvement were accompanied by strategies to guide their practical implementation. The overlap of these themes across groups strengthens their validity and importance. DEQ is presently implementing many of the recommendations that can be completed without rule making and will begin the process of developing the necessary rule changes to accomplish the additional streamlining efforts.

Mercury in Idaho

DEQ is working collaboratively with the U.S. Environmental Protection Agency, surrounding state environmental protection agencies, public drinking water systems, the medical community, schools, and others to reduce mercury sources in Idaho. Specific activities include:

Mercury Contamination Pilot Study: It is important that Idaho has accurate data upon which to base future efforts to reduce mercury contamination in the state's water bodies. DEQ is conducting a pilot study of mercury contamination in the Salmon Falls Reservoir and Jordan Creek in southern Idaho. Fish in both of these systems exhibit elevated levels of mercury in their tissues. The purpose of the study is to identify the sources of mercury contamination in these areas. To this end, DEQ is collecting and analyzing information from both air and water monitoring projects focused on the study area. A broad-based, statewide study of all mercury sources may ultimately be required.

New Mercury Rule and Total Maximum Daily Load Development: Under a proposed rule initiated by DEQ and codified into DEQ's Water Quality Standards in April 2005, a new fish tissue criterion for methylmercury will help us evaluate whether water quality is impaired by mercury. This, in turn, will enable DEQ to develop and implement water quality improvement plans known as total maximum daily loads (TMDLs) for mercury in water bodies with fish tissue that tests above levels established in the rule.

Since 1994, a fish consumption advisory for mercury has been in effect for Brownlee Reservoir. In 2004, DEQ completed the TMDL for the Snake River-Hells Canyon Subbasin (Brownlee Reservoir), along the Idaho-Oregon border, for all pollutants but mercury. DEQ had delayed development of the mercury TMDL due to a lack of data on methylmercury in fish tissue. Using the newly developed fish tissue criterion for methylmercury, DEQ has begun to develop a water quality improvement plan, or TMDL, for mercury for the Snake River-Hells Canyon Subbasin (Brownlee Reservoir).

Air Quality Permitting: DEQ is the state agency delegated responsibility for administering the federal Clean Air Act in Idaho. This responsibility includes issuing permits that limit the volume of hazardous air pollutants, including mercury, that facilities may emit and conducting inspections of these facilities to assure compliance with federal and state air quality standards. DEQ also tracks and maintains a database of volumes of hazardous air pollutants emitted.

Voluntary Partnership with Hospitals for a Healthy Environment (H2E): Mercury can be found in many commonly used hospital devices and materials, including thermometers, blood pressure monitors, esophageal tubes, and others. Most mercury-containing equipment has a mercury-free alternative. H2E is a voluntary program to help health care facilities reduce the amount and toxicity of wastes they generate. In 2003, DEQ joined H2E and is working with Idaho hospitals to facilitate the elimination of mercury at these facilities. For more information on H2E, go to: http://www.deq.idaho.gov/multimedia_assistance/hospitals/h2e.cfm.

BMPs for Mercury-Containing Equipment at Public Drinking Water Systems: As the state agency that is delegated the responsibility for administering the federal Safe Drinking Water Act in Idaho, DEQ works closely with local public health districts and public drinking water systems to assure that the water we drink is free of contaminants, including mercury. In 2003-2004, DEQ conducted an evaluation of

equipment used by public drinking water systems in Idaho to identify mercury-containing equipment, including electric switches, sensors, gauges and meters, with a potential to contaminate drinking water. A technical guide was completed and is available to provide system operators with best management practices (BMPs) to prevent mercury-containing equipment from contaminating drinking water.

Drinking Water and Wastewater Infrastructure Improvements
The DEQ Drinking Water Planning Grant Program provides assistance to eligible public drinking water systems for facility planning projects designed to ensure safe and adequate supplies of drinking water. In FY2006, DEQ awarded $197,362 in drinking water planning grants. Drinking water grants were awarded to Splendid Acres Water Association, Smith Road Water Users, Cub River Estates, Purple Sage Mobile Manner, the city of Fruitland, the city of New Plymouth, the city of Cambridge, the city of Iona, the city of Marsing, Warm Lake Recreational Water District and the city of Donnelly.

The DEQ Drinking Water Revolving Loan Fund provides below-market-rate interest loans to help repair or build new drinking water facilities. The cumulative total of drinking water loans awarded by DEQ, through FY2006, is $60,101,109.

The DEQ Wastewater Planning Grant Program provides financial assistance to eligible entities that are planning to upgrade public wastewater facilities. In FY2006, DEQ awarded $192,282 in wastewater planning grants. Wastewater grants were awarded to Kootenai-Ponderay Sewer District, the city of Chubbuck, the city of Inkom, the city of Ucon, the city of Reubens, the city of Driggs, the cities of Franklin & Preston (for a regional study) and an increase was awarded to an existing grant to Kingston-Cataldo Sewer District.

The Water Pollution Control State Revolving Loan Fund provides below-market-rate interest loans to help build new or repair existing wastewater treatment facilities. The cumulative total of wastewater loans awarded by DEQ is $238,783,150.

Drinking Water Arsenic Standard Compliance Agreement Schedules
The EPA has adopted a new, more stringent standard for arsenic in drinking water. To assist owners of water systems in complying with the new standard, DEQ is allowing system owners to enter into a negotiated compliance agreement schedule with DEQ. The agreement provides the water system owner a schedule under which modifications to the system to reduce arsenic exposure must be completed. Entering into an agreement prior to the new standard taking effect will prevent a system owner from accruing violations and penalties if they exceed the new standard prior to completion of the modifications.

Response to Drinking Water Contamination in Boise
Routine sampling of water from a small water system in Boise showed the solvent trichloroethylene (TCE) was present at levels of nearly 20 times the safe drinking water standard. At that level, TCE posed an immediate threat to public health. Immediate notification of the water users was ordered by DEQ and bottled water was supplied to all of the users. DEQ then facilitated the disconnection of the contaminated sources/wells and the connection to a safe and reliable source (interconnect with United Water). Working in a coordinated effort with the health district, PUC and United Water, long-term public health protection for the approximately 100 affected households was achieved by quickly supplying a safe drinking water supply.

Streamlining of § 319 Grant Process
Section § 319 of the Clean Water Act established a grant program under which states, territories, and tribes may receive funds to support a wide variety of nonpoint source water pollution management activities. DEQ is the state agency responsible for administering this grant program in Idaho. Grants are awarded annually on a competitive basis and successful grants focus on improving the water quality of lakes, streams, rivers and aquifers.

DEQ is making the § 319 grant process more efficient for both the applicants and the Agency. A web-based software tool is being developed for the electronic preparation of grant application material and for tracking the status of the awarded projects. The system will expedite the § 319 grant process for our customers, while providing a better internal grant-tracking system.

DEQ Sponsored Targeted Brownfields Assessments
The DEQ Brownfields Assessment Program funds and conducts environmental assessments of Brownfields sites when a lack of environmental information has complicated site redevelopment or reuse.

Technical Assistance: Brownfields
DEQ continues to provide technical assistance to entities as they apply for EPA grants to conduct site assessments. Assessments determine the nature and extent of the contamination, identify potential cleanup options, and estimate cleanup costs (if any). Last year, DEQ assisted the city of Caldwell, Washington County, the Capital City Development Corporation and the Reuse Idaho Brownfields Coalition as they applied and received grants from EPA to determine the readiness of these properties for future sale or use.

Historic Bayhorse Mining District in Custer County
Bayhorse is one of Idaho's best-preserved historic mining ghost towns. For this reason, the Idaho Department of Parks and Recreation (IDPR) entered into an option contract to purchase more than 450 acres of Bayhorse properties to preserve and restore the properties as an interpretive, historic State Park. Because of Bayhorse's mining past, both the IDPR Board and the Idaho Legislature placed a number of environmentally related conditions on IDPR's authority to purchase the Bayhorse Properties. DEQ worked closely with IDPR to gather environmental information, evaluate the risks posed by environmental conditions, and to develop detailed risk management plans for each of the Bayhorse properties. DEQ and IDPR have completed all of the environmental activities required by the IDPR Board and the Idaho Legislature, allowing IDPR to purchase the Bayhorse properties. IDPR initiated efforts to open Bayhorse as an historic State Park. Among other activities, IDPR will implement the DEQ-recommended risk management plan for the Bayhorse Townsite property using $200,000 in EPA Brownfields funds awarded to IDPR.

Salmon Town Square Project
In 2004, DEQ began working with the city of Salmon and the Salmon River Development Agency (SRDA) to enable SRDA to purchase and cleanup a petroleum-contaminated property along the Salmon River and in the heart of Salmon's planned Town Square. At SRDA's request, DEQ funded assessment activities and developed proposed cleanup alternatives with cost estimates for the property. DEQ also helped SRDA secure $133,000 in EPA Brownfields Funds to cleanup the property. With the DEQ information and the EPA Grant funds, SRDA was able to purchase the property. SRDA is currently entering DEQ's Voluntary Cleanup Program with plans to begin cleanup in the next few months. Current SRDA plans are to locate a new library facility on the property.

DEQ provides outreach to understand recent changes to federal Underground Storage Tank laws
A result of recent amendments included in the federal Energy Policy Act of 2005, DEQ is providing information to parties affected by significant changes in the federal laws governing the installation and operation of underground storage tanks. The new law aims to prevent releases from underground storage tanks or detect them quickly, if they occur, in order to reduce the amount of money spent on clean-ups. DEQ mailed out over 2,000 informational flyers and held public meetings around the state in an attempt to develop broad consensus on how Idaho should proceed with implementing these changes. DEQ will continue to work with over 1,300 affected parties, as well as consult with the Governor's office, the Idaho Petroleum Marketer's & Convenience Store Association and the Idaho Petroleum Storage Tank Fund Board and staff about the new law.

Coeur d'Alene Basin Remediation Program updates
To date, 3,835 Silver Valley properties have been remediated in the Coeur d'Alene Basin (Basin). In 2005, the Basin program remediated 339 properties which were within last year's goal of completing 300-400 properties and 10 more than 2004. The properties remediated equate to reclaiming approximately 44 acres. Nearly 60,000 cubic yards of contaminated soil were removed from contact areas and taken to the Big Creek Repository. This year 137 high-priority yards, inhabited by children age six and under or pregnant women, were remediated in eight communities. Cleanup in the Basin continues to utilize local resources, providing approximately 245 local jobs (87% local hires). During the cleanup season, Basin cleanup accounts for the 2nd largest employment in the Silver Valley.

Sisters Mine Site Closure
The remediation of the Sisters mine site, north of Wallace, was completed in October of 2005 to eliminate risks to public health and the environment. The primary environmental concern with the site was the proximity to a local neighborhood where area residents had been taking the waste material to be used as fill elsewhere, and young

children using the pile for recreation. DEQ went door-to-door and spoke with residents individually prior to starting the project to understand concerns by residents about traffic, dust and noise. The mine site consisted of a caved-in entrance at the portal and a waste rock pile. Sampling of rock from the waste pile showed levels of lead, arsenic and cadmium present, however, water quality samples from two monitoring wells showed there were no contaminants of concern reaching the aquifer. After containing run-off from the site, DEQ covered the site with top soil and erosion-control fabric before seeding with vegetation. The final stage of the project was to place physical barriers on and around the site to discourage residents from disturbing or recreating on the site in the future.

DOE/INL Environmental Impacts
DEQ maintains an independent INL environmental monitoring and verification program. This program is designed to provide the people of Idaho with independently evaluated information about the trends and impacts of the Department of Energy's (DOE) activities on public health and the environment. The conclusion for 2006 is that results for all media were consistent with historical trends and show no significant impacts to human health and the environment.

Part II – Performance Measures

Performance Measure	2003	2004	2005	2006	Benchmark
1. Percentage of Permits to Construct issued within required timelines, after completeness is determined.				57%	80%
2. Percentage of days as measured by the Air Quality Index that air is in the healthy category.	99.8%	99.6%	99.3%	99.9%	98%
3. Percentage of drinking water and wastewater plan and specification reviews completed within 42 days of receipt.				72%	80%
4. Number of impaired water bodies that have approved TMDLs for all impairments.				119	269
5. Percentage of people on Community Water Systems served drinking water that meets health based standards.			98.6%	98.9%	92%
6. Percentage of time-critical or scheduled hazardous waste permits and/or reviews completed within established timeframes.	100%	100%	100%	100%	100%
7. Number of Brownfield sites made ready for reuse.		2	8	11	15
8. Percentage of time that continuous air monitoring stations and real-time radiation monitoring stations are operational to monitor INL conditions.	100%	93.6%	99.3%	99.1%	90%

Performance Measure Explanatory Note:

Numbers correspond to Performance Measures above.

1. This performance measure was added in FY2006; therefore, historical numbers are unavailable. The potential roadblocks to meeting the benchmark could be the need for modification of existing rules to implement the streamlining of the air permitting process.

2. This performance measure is based on a calendar year. The roadblocks that could prevent meeting the benchmark could be natural conditions beyond the state's control, such as prolonged inversions, hot summer temperatures, and/or smoke from wildfires. 2006 is a partial year.

3. This performance measure was added in FY2006; therefore, historical numbers are unavailable.

4. This performance measure was added in FY2006. To date, 119 water bodies have all TMDLs completed for all impairments. During FY2007, 269 water bodies are scheduled to have all TMDLs completed for all impairments.

5. New rules and new abilities in the federal and state data reporting systems will increase the number of violations for arsenic, radionuclides and disinfection byproduct rules. This was a new performance measure in FY2005.

For More Information Contact

Larry L. Koenig
Environmental Quality, Department of
1410 N Hilton
PO Box 83720
Boise, ID 83720-1410
Phone: (208) 373-0407
E-mail: larry.koenig@deq.idaho.gov